

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**JULIA M. LAWRENCE,**

Defendant.

**Case No. 19-3103-01-CR-S-SRB**

**MOTION OF THE UNITED STATES FOR PRETRIAL  
DETENTION HEARING PURSUANT TO TITLE 18,  
UNITED STATES CODE, SECTION 3142(f)**

The United States of America, by the United States Attorney for the Western District of Missouri, hereby moves the Court to order a pretrial detention hearing pursuant to 18 U.S.C. § 3142(f), for the purpose of presenting evidence to determine whether any condition or combination of conditions of release will reasonably assure the defendant's appearance as required by the Court and the safety of other persons and the community. As grounds for the motion, the United States submits that:

1. There is probable cause to believe that the defendant committed the offense of conspiracy to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(B);
2. The defendant poses a risk to the safety of others in the community; and
3. The defendant poses a serious risk to flee.

**SUPPORTING SUGGESTIONS**

Subsection 3142(f)(1)(C), of Title 18, United States Code provides that a hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions will reasonably assure the defendant's appearance and the safety of any other person in

the community if the attorney for the government moves for such a hearing and if the case involves an offense under the Controlled Substances Act (21 U.S.C. § 801, et seq.) for which imprisonment for 10 years or more is possible. In this case, the defendant is charged with conspiracy to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a crime for which a term of not less than 5 years and not more than 40 years in prison is possible.

Section 3142(e) and (f)(1) provide a presumption that a defendant will not appear for subsequent court appearances that arise if the offense is one enumerated under the Controlled Substance Act as referred to above. Under the Bail Reform Act there is also a presumption that the likelihood of flight increases with the severity of the charges, the strength of the government's case, and the penalty which conviction could bring. *See United States v. Apker*, 964 F.2d 724, 744 (8th Cir. 1992); *see also United States v. Soto Rivera*, 581 F.Supp. 561 (D.C. Puerto Rico 1984); *United States v. Menster*, 481 F.Supp. 1117 (D.C. Fla. 1979).

As set forth above, the defendant has been charged with a Controlled Substance offense carrying a statutory sentencing range of not less than 5 years and not more than 40 years imprisonment. Accordingly, the Government suggests that upon a showing that there exists probable cause that the defendant committed the offenses referred to in the Indictment, there is a legal presumption, subject to rebuttal by the defendant, that no condition or combination of conditions will reasonably assure her appearance or the safety of the community. *See Apker*, 964 F.2d at 743-44; *United States v. Dorsey*, 852 F.2d 1068, 1069-70 (8th Cir. 1988).

To further support the Government's contention that the defendant is a flight risk and a danger to the safety of the community, the Government offers that:

1. On or about May 29, 2019, the defendant, while on probation/parole with the State of Missouri for possession of a controlled substance, possessed more than 300 grams of methamphetamine, a distributive amount. At the time of the defendant's arrest, there were three firearms in her vehicle;

2. The defendant has a demonstrated history of violating the terms of her probation. In her 2006 felony possession of a controlled substance conviction, the defendant's probation was revoked in April 2008 after the filing of four separate violation reports. According to a second amended motion to revoke probation, the defendant violated the terms of her probation in the following ways: arrests for tampering with a motor vehicle, theft, possession of marijuana, possession of drug paraphernalia, and unlawful use of a weapon; failure to report as directed; use of methamphetamine; and failure to notify her probation officer of her current residence;
3. The defendant has a history of failing to appear for her scheduled court appearances, having failed to appear on the following dates in the following cases:
  - a. On or about November 3, 2006; November 8, 2006; December 22, 2006; December 7, 2007; and January 11, 2008, in the Circuit Court of Christian County, Missouri, case number 06N8-CR01467-01; and
  - b. on or about August 15, 2011, in the Circuit Court of Webster County, Missouri, case number 11WE-CR00622; and
4. The defendant has a history of running from law enforcement, as demonstrated by her January 13, 2016, misdemeanor conviction for resisting arrest, wherein it was alleged that on or about January 30, 2015, the defendant was operating a motor vehicle while her license was revoked and resisted arrest by fleeing.

For the reasons set forth above, the United States requests that a detention hearing be held and that the defendant be denied bail.

Respectfully submitted,

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By /s/ Jessica R. Keller  
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**Certificate of Service**

The undersigned hereby certifies that a copy of the foregoing was delivered on August 26, 2019, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Jessica R. Keller

Jessica R. Keller

Special Assistant United States Attorney